

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

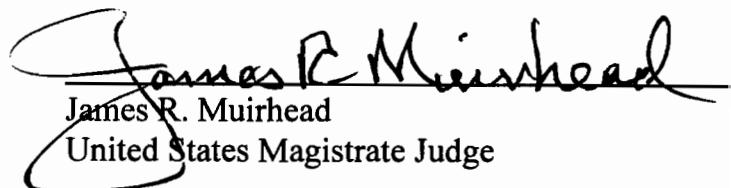
Criminal No. 08-mj-117-01-JM

Francisco Burgado

ORDER

Defendant, by his counsel, has moved for a determination of mental competency pursuant to 18 U.S.C. § 4241. Based upon defense counsel's representations as to past findings of incompetency by another court in the past, I find reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect that could affect his competency to stand trial. Pursuant to 18 U.S.C. § 4241(b) and 4247(b), the defendant is committed to the custody of the Attorney General for a period not to exceed thirty days for placement in a suitable facility where an examination of the defendant's mental condition can be conducted. The director of the facility may apply for a reasonable extension as provided by 18 U.S.C. § 4247(b). The examining officials shall prepare a report of their findings pursuant to 18 U.S.C. § 4247(b), which report shall be filed with this court. The court requests prior notification of the date of the defendant's return to this jurisdiction after the examination so that a prompt competency hearing and detention hearing may be held.

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: 12/30/08

cc: Terry Ollila, AUSA
Michael Iacopnio, Esq.
U.S. Marshal
U.S. Probation